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7 *Attorneys for Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC*

8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re:
 11 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

12 In re:
 13 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Chapter 11
 Jointly Administered Under
 Case No. BK-S-06-10725-LBR

14 In re:
 15 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

**REPLY TO RESPONSE TO
 OMNIBUS OBJECTION OF POST-
 EFFECTIVE DATE USA CAPITAL
 DIVERSIFIED TRUST DEED FUND,
 LLC, TO CLAIMS FILED BY
 DONALD AND BEVERLY SWEZEY
 2001 TRUST, ET. AL.;
 DECLARATION OF ANNE M.
 LORADITCH**

16 In re:
 17 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

18 In re:
 19 USA SECURITIES, LLC,
 Debtor.

Hearing Date: July 27, 2007
 Hearing Time: 9:30 a.m.

20
 21 Affects:
 All Debtors
 USA Commercial Mortgage Company
 USA Securities, LLC
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA First Trust Deed Fund, LLC

Courtroom: 1

22 Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC ("Diversified"), by
 23 and through its counsel noted above, hereby submits its Reply to the Response to Omnibus
 24 Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC To Claims
 25 filed by Donald and Beverly Swezey 2001 Trust, et. al. (the "Response") filed in the form of
 26
 27
 28

1 correspondence to the Court by Donald and Beverly Swezey as trustees of the Donald Swezey
 2 and Beverly W. Swezey 2001 Trust dated 2/20/01 (hereinafter, jointly referred to as the
 3 "Swezeys").

4 For its Reply, Diversified states that the concerns expressed in the Response have been
 5 resolved through discussions between counsel for Diversified and Beverly Swezey shortly after
 6 the Response was filed with the Court. Subsequent to receiving notice of the Response, counsel
 7 for Diversified spoke to Beverly Swezey to confirm the Swezeys' equity interest in Diversified,
 8 which interest was valued at \$48,047.32 as of April 13, 2006. Upon learning that Diversified
 9 has no objection to the Swezeys' equity interest in Diversified but merely their late-filed claim
 10 asserted on the basis of their equity interest, the Swezeys agreed with Diversified's position that
 11 their creditor claim should be disallowed.

12 Accordingly, Diversified respectfully requests that the Court sustain the Omnibus
 13 Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC To Claims
 14 filed by Donald and Beverly Swezey 2001 Trust, et. al., and disallow Proof of Claim no. 145 in
 15 its entirety.

16 DATED this 25th day of July 2007.

17 **BECKLEY SINGLETON, CHTD.**

18 By: /s/ Anne M. Loraditch

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 20 Anne M. Loraditch (Nevada Bar No. 8164)
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22 and

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26 *Attorneys for Post-Effective Date USA Capital*
 27 *Diversified Trust Deed Fund, LLC*

DECLARATION OF ANNE M. LORADITCH

I, Anne M. Loraditch, declare under penalty of perjury that I am competent to make this declaration under the laws of the United States of America and the State of Nevada; that I have read the above *Reply to Response to Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC To Claims filed by Donald and Beverly Swezey 2001 Trust, et. al.* and that the facts stated therein are true and correct to the best of my knowledge and belief.

DATED this 25th day of July 2007.

/s/ Anne M. Loraditch

ANNE M. LORADITCH